

**KIRKLAND & ELLIS LLP**

AND AFFILIATED PARTNERSHIPS

601 Lexington Avenue  
New York, New York 10022

(212) 446-4800

www.kirkland.com

Shireen Barday  
To Call Writer Directly:  
(212) 446-6418  
shireen.barday@kirkland.com

Facsimile:  
(212) 446-4900

September 13, 2016

Hon. Lewis A. Kaplan  
United States District Court  
for the Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

**Re: *Force, et al. v. Facebook, Inc.*, No. 16-cv-5490 (LAK)**

Dear Judge Kaplan:

I represent Facebook, Inc. ("Facebook") in the above-captioned matter. I write to request that this Court adjourn the September 19, 2016 deadline to answer, move or otherwise respond to the Complaint. On September 9, 2016, the parties jointly filed a Motion to Transfer this action to the Eastern District of New York (Docket No. 9), where a related case is presently pending before Judge Garaufis. Facebook intends to file a motion to dismiss the Complaint in the above-captioned action. In the interests of judicial economy, Facebook requests that this Court adjourn the September 19, 2016 deadline for the filing of a motion to dismiss until either (i) a date and time to be set by a court in the Eastern District of New York (in the event the Motion to Transfer is granted), or (ii) a date seven (7) days after this Court issues an order disposing of the Motion to Transfer (in the event the Motion to Transfer is denied). Counsel for Plaintiffs consents to this request. Neither party has previously sought an adjournment of the deadline by which to answer, move or otherwise respond to the Complaint.

Sincerely,

  
Shireen Barday

cc: Robert Tolchin (via ECF)